

~~CONFIDENTIAL~~

unsealed 10/30/12

County of Sullivan, NH

Type of Meeting: Board of Commissioners – Special Executive Session Meeting
Minutes Per RSA 91-A.3.II.e. Threatened Litigation Issue

Date & Time: Tuesday, August 28th, 4:00 PM

Place: Newport, NH – Remington Woodhull County Complex, 14 Main
Street, 1st Floor – Commissioners Conference Room, 03773

Attendees: Commissioners Bennie Nelson – Chair, Jeffrey Barrette – Vice Chair
and John M. Callum Jr. – Clerk, Greg Chanis – County Administrator,
John Cressy – Facilities & Operations Director, Marc Hathaway –
County Attorney, Matt Johnson – Devine Millimet Attorneys At Law

4:05 The Chair, Bennie Nelson, opened the meeting.

4:06 **Motion: to go into Executive Session per RSA 91-A:3.II.e. for consideration of a possible litigation, which has been threatened in writing against the County. Made by: Barrette. Seconded by: Callum Jr. Roll call vote: All commissioners voted in favor of the motion. Those in Executive Session include: all three commissioners, County Administrator, Facilities & Operations Director, County Attorney, and Matt Johnson.**

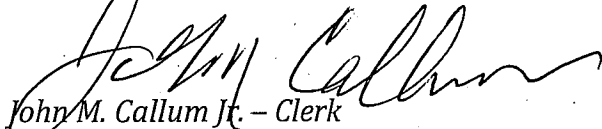
The Commissioners reviewed issue surrounding JCN Construction threatening litigation regarding the biomass project bid process. Mr. Johnson reviewed a sort of benefit risk analysis regarding settling the case vs. potentially litigating it. Discussion ensued regarding options.

4:41 **Motion: to authorize the County Administrator to settle the case with a \$20,000 payment to JCN Construction. Made by Barrette. Seconded by: Callum Jr. Voice vote: All in favor.**

4:45 **Motion: to come out of Executive Session. Made by: Barrette. Seconded by: Callum Jr. Voice vote: All in favor.**

4:46 Motion: adjourn meeting. Made by: Barrette. Seconded by: Callum Jr. Voice vote: All in favor.

Respectfully submitted,


John M. Callum Jr. – Clerk
Board of Commissioners

JMC/gc/sjc

Date minutes approved:

09/04/12

Date minutes kept sealed or unsealed:

10/30/12



SPECIAL EMERGENCY MEETING NOTICE
Of the
Sullivan County NH
Board of Commissioners

The Sullivan County Board of Commissioners will convene:

Date: Tuesday, August 28th, 2012 4:00 PM
Place: Remington Woodhull County Complex
County Administration Building
Commissioners Conference Room – 1st Floor
14 Main Street
Newport NH 03773

for a special meeting, which may be conducted in Executive Session per RSA 91-A:3.II.e. for consideration of the possible litigation which has been threatened in writing against the County.

Other County business may be conducted in public session.